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October 25, 2016

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: Notice of Ex Parte Communication, WC Docket Nos. 10-90,
14-58 and 14-259

Dear Secretary Dortch:

On October 21, 2016, the undersigned, along with Jeffrey S. Nordhaus, Executive Vice President, Innovation & Broadband, Empire State Development (“ESD”), met with Travis Litman, Commissioner Jessica Rosenworcel’s legal advisor, to discuss the recent Petition for Expedited Waiver ESD submitted in the above-referenced proceedings.

Mr. Nordhaus stated that conducting two auctions in the same territories would raise a host of challenges, including potential funding of duplicative broadband networks and disparate federal-state funding requirements. Mr. Nordhaus maintained that grant of the Petition would resolve these challenges through a simple process by which carriers in New York receive funding from the Connect America Fund in coordination with the State’s broadband program. Finally, I noted that good cause exists for grant of the waiver due to the unique nature of New York’s broadband funding program and that it would facilitate the efficient use of CAF resources.

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Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/

John M. Beahn

Counsel to Empire State Development

cc: Travis Litman